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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,085	03/11/2004	Ryoji Matsumura	119061	4356

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EXAMINER	
EHNE, CHARLES	
ART UNIT	**PAPER NUMBER**
2113	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/797,085	MATSUMURA, RYOJI	
	Examiner	Art Unit	
	Charles Ehne	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 December 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-7,9-12,14 and 15* is/are rejected.

7)☒ Claim(s) *3,8 and 13* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,2,4-7, 9-12,13 and 15 are rejected under 35 U.S.C. 102(e) as being unpatentable by Parks (US 6,898,733).

As to claim 1, Parks discloses a cooperative processing apparatus for executing a cooperative process of respective services based on cooperative instruction information representing an instruction for cooperating a plurality of services for respectively executing predetermined processes on document data, on a network, the cooperative processing apparatus comprising:

an error determining section that determines an error which occurs in a service in the cooperative process (column 2, lines 14-15);

a document detecting section that detects the presence or absence of document data processed by the cooperative process (column 3, lines 49-57); and

a cooperative control section that reexecutes the cooperative process based on the error determined by the error determining section and the presence or absence of document data detected by the document detecting section (column 3, lines 58-61).

As to claim 2, Parks discloses the cooperative processing apparatus according to claim 1, further comprising a service type determining section that determines types of the services constituting the cooperative process, wherein the cooperative control

section reexecutes the cooperative process further based on the service types determined by the service type determining section (columns 5-6, lines 66-4).

As to claim 4, Parks discloses the cooperative processing apparatus according to claim 2, wherein when a service type determined by the service type determining section is a type of noncancelable service, the cooperative control section reexecutes the cooperative process so as to skip the noncancelable service (column 3, lines 58-61).

As to claim 5, Parks discloses the cooperative processing apparatus according to claim 1, wherein when an error determined by the error determining section is an unrecoverable error and the document detecting section detects that document data are not present, the cooperative control section carries out a predetermined notification (column 4, lines 1-3).

As to claim 6, Parks discloses a cooperative processing method of making a computer execute a cooperative process of respective services based on cooperative instruction information representing an instruction for cooperating a plurality of services for respectively executing predetermined processes on document data, on a network, the method comprising:

a step of determining an error which occurs in a service in the cooperative process (column 2, lines 14-15);

a step of detecting the presence or absence of document data processed by the cooperative process (column 3, lines 49-57); and

a cooperative control step of reexecuting the cooperative process based on the error determined at the error determining step and the presence or absence of document data detected at the document detecting step (column 3,linesa 58-61).

As to claim 7, Parks discloses the cooperative processing method according to claim 6, further comprising a service type determining step of determining types of services constituting the cooperative process, wherein at the cooperative control step, the cooperative process is reexecuted further based on the service types determined at the service type determining step (columns 5-6, lines 66-4).

As to claim 9, Parks discloses the cooperative processing method according to claim 7, wherein when a service type determined at the service type determining step is a type of noncancelable service, the cooperative process is reexecuted so that the noncancelable service is skipped at the cooperative control step (column 3, lines 58-61).

As to claim 10, Parks discloses the cooperative processing method according to claim 6, wherein when an error determined at the error determining step is an unrecoverable error and the absence of document data are detected at the document detecting step, a predetermined notification is carried out at the cooperative control step (column 4, lines 1-3).

As to claim 11, Parks discloses a cooperative processing system comprising:

a plurality of service processing apparatuses for cooperatively executing a plurality of services for respectively executing predetermined processes on document data, on a network (column 3, lines 13-16 & lines 32-34); and

a cooperative processing apparatus for making the service processing apparatuses execute a cooperative process based on cooperative instruction information representing an instruction for cooperatively executing the services, wherein the cooperative processing apparatus includes (column 3, lines 19-23),

an error determining section that determines an error which occurs in a service in the cooperative process (column 2, lines 14-15),

a document detecting section that detects the presence or absence of document data processed by the cooperative process (column 3, lines 49-57), and

a cooperative control section that reexecutes the cooperative process based on the error determined by the error determining section and the presence or absence of document data detected by the document detecting section (column 3,linesa 58-61).

As to claim 12, Parks discloses the cooperative processing system according to claim 11, wherein: the cooperative processing apparatus further includes a service type determining section that determines types of the services constituting the cooperative process; and the cooperative control section reexecutes the cooperative process further based on the service type determined by the service type determining section (columns 5-6, lines 66-4).

As to claim 14, Parks discloses the cooperative processing system according to claim 12, wherein when a service type determined by the service type determining section is a type of noncancelable service, the cooperative control section reexecutes the cooperative process so as to skip the noncancelable service (column 3, lines 58-61).

As to claim 15 Parks discloses the cooperative processing system according to claim 11, wherein when an error determined by the error determining section is an unrecoverable error and the document detecting section detects that document data are not present, the cooperative control section carries out a predetermined notification (column 4, lines 1-3).

Allowable Subject Matter

Claims 3,8 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed 12/13/2006 have been fully considered but they are not persuasive. Applicant states on page 3, lines 11-12, "Nowhere does Parks teach or suggest re-executing a cooperative process based on a determined error and the presence or absence of document data."

Examiner respectfully disagrees. Parks discloses wherein the process monitor cross checks an active process list with the actual processes that are executing (column 3, lines 49-55). Therefore the process monitor must be able to detect what document data is present and/or absent. Once an error has been detected, the process is automatically restarted (column 3, lines 58-61).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Ehne whose telephone number is (571)-272-2471. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571)-272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.